

REMARKS

Reconsideration of the present patent application is respectfully requested. Claims 1-22 are pending in this application. By this amendment, claims 1, 17, 18, and 21 have been amended.

Double Patenting

Claims 1-22 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14, 22, and 29-38 of copending Application No. 10/359,984. This application has issued as U.S. Patent No. 6,878,194.

Applicants are submitting a Terminal Disclaimer along with this response. Therefore, Applicants respectfully submit that all the claims rejected under the judicially created doctrine of obviousness-type double patenting are currently in condition for allowance and request notice to that effect.

Claim Rejections - 35 U.S.C. §112

Claim 15 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully disagree that claim 15 is not enabled by the disclosure in the specification. Paragraph [0030] states that “[t]he bolt may be a special fitting to assist in this functionality. Such a special fitting would includes threads, a counter-bore (not shown) and a cross-drilled hole (not shown) that would allow the dryer to access the purge volume locate in the reservoir 40.”

Paragraph [0030] is sufficient to allow person skilled in the art to make and use the invention without undue experimentation. Applicants respectfully submit that all the claims rejected under 35 U.S.C. §112, first paragraph are currently in condition for allowance and request notice to that effect.

Claim Rejections- 35 U.S.C. §102(b)

Claims 1-2, 6-7 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Dossaji et al. (USPN 5,961,698). The Office Action indicates that the fastener of Claim 1 is represented by the threaded valve 14 of Dossaji and further points to col. 4, line 40 in Dossaji

regarding disclosing a reservoir which houses the purge volume. Claim 1 states, in part, “a fastener disposed in said bore, wherein air flow passing through the air dryer intersects the bore and communicates to an *external purge volume*, wherein *said fastener connects said air dryer manifold to the external purge volume*.” Claim 1, as amended, makes clear that the purge volume is external to the air dryer, which comprises a desiccant cartridge and manifold. Furthermore, claim 1 requires the fastener connect the manifold to the external purge volume. The threaded valve 14 of Dossaji does not connect the manifold to the external purge volume (col. 4, line 40) as required by claim 1. Thus, because Dossaji fails to disclose each and every element of independent claim 1, Dossaji does not anticipate independent claim 1 nor any of the claims that depend therefrom.

Claims 10-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Shamane et al. (USPN 5,607,500). Claims 10 and 11 require both a fastener and a threaded portion, as each element is specifically called out in the claims. The Office Action indicates that the retention bolt 84 of Shamane is both the fastener and the threaded portion of claims 10 and 11. Since the claims require both a threaded portion and a fastener, Shamane fails to disclose each and every element of independent claims 10 and 11. Therefore, Shamane does not anticipate independent claims 10 and 11 nor any of the claims that depend therefrom.

Claim 14 was rejected under 35 U.S.C. §102(b) as being anticipated by Blevins et al. (USPN 5,595,588). Blevins discloses an air dryer 10 comprising two detachable components, a desiccant cartridge 12 and a body assembly 14 (col. 2, lines 47-49). Blevins further discloses an interlocking between the tabs 86 and the body to prevent relative rotation between the desiccant cartridge and the body assembly (col. 3, lines 39-41; col. 4, line 24-26). Conversely, claim 14 recites, in part: “aligning an air dryer with a reservoir such that one or more stabilizing mechanisms interlock to prevent rotation of the air dryer relative to the reservoir” Thus, Blevins teaches preventing rotation between two components of an air dryer while claim 14 recites preventing rotation between the air dryer and a reservoir. Therefore, Blevins does not anticipate independent claim 14.

Claims 15-16 were rejected under 35 U.S.C. §102(b) as being anticipated by Mahoney et al. (USPN 6,094,836). Claim 15 reads, in part: “wherein said purge flow passes from said purge volume via a bore in said manifold in which a fastener securing said air dryer to the vehicle is disposed.” The Office Action cites col. 5, lines 17-21 of Mahoney as disclosing this

arrangement. This section of Mahoney discusses venting water/vapor to vent line 42 (col. 3, lines 52-53)(Fig. 2). It does not disclose a fastener securing said air dryer to the vehicle. Nor does it disclose a bore in which purge flow passes.

Regarding claim 16, the Office Action indicates Mahoney contains a manifold 124 and a means for securing 106. The Office Action further cites col. 4, line 59 through col. 5, line 16 of Mahoney in support of the rejection. Applicants respectfully submit that these citations do not support the rejection. Element 124 is a valve assembly not a manifold (col. 5, line 7) and element 106 is a lower assembly not a means for securing (col. 4, line 65-66). Further, col. 4 line 59 through col. 5, line 16 discusses the operation of the valve assembly 124 as providing an inlet for wet air into the dual air dryer of Mahoney. Therefore, these sections do not disclose the arrangement of claim 16. Thus, because Mahoney fails to disclose each and every element of independent claims 15 and 16, Mahoney does not anticipate independent claims 15 and 16.

Claim 17 was rejected under 35 U.S.C. §102(b) as being anticipated by Zoglman et al. (USPN 5,427,609). Claim 17, as amended, recites, in part: “the manifold secured to a vehicle *by a single fastener*.” Conversely, Zoglman specifically states the device “can be mounted to a frame of the truck or the like such as by a bracket 24, as shown, with bolts 18 extending through openings formed in bracket 24 prior to annular flange 20” (col. 4, lines 58-62). Furthermore, Figure 2 in Zoglman illustrates the device mounted to a frame 23 by the bracket 24 and at least four bolts. Thus, Zoglman discloses multiple fasteners for mounting the device to the frame. Therefore, Zoglman fails to disclose each and every element of independent claim 17, Zoglman does not anticipate independent claim 17.

Claim 18 was rejected under 35 U.S.C. §102(b) as being anticipated by Yandell (USPN 1,993,201). Yandell discloses a clothes drying apparatus that uses air pressure to compress liquid from wet clothes. Claim 18 as amended, recites, in part, “an air dryer *for drying air*.” Yandell discloses a clothes dryer, not an air dryer for drying air; thus, Yandell fails to disclose each and every element of independent claim 18. Therefore, Zoglman does not anticipate independent claim 18.

Claim Rejections - 35 U.S.C. §103(a)

Claims 3-5 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dossaji in view of Shamine. The Office Action states that Shamine discloses a means for

stabilization and rotation prevention at col. 4, lines 10-15. That paragraph, however, discusses a two-piece retention bolt structure. In particular, the paragraph discloses a bolt 112 installed in the end of a tube 110. This arrangement does not prevent rotation of the air dryer. Further, as discussed with the anticipation rejection of claim 1, Dossaji does not disclose each and every element independent claim 1. Combining Dossaji with Shamine does not cure the deficient teachings of Dossaji. Thus, because Dossaji in view of Shamine fails to disclose, teach or suggest the elements recited in claims 3-5 and 8, the combination does not render claims 3-5 and 8 obvious.

Claims 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Yandell in view of Zoglman. Claims 19-20 depend from claim 18. Claim 18 recites, in part: “a single means for securing said air dryer to an outer surface of an enclosed purge reservoir” Neither Yandell nor Zoglman disclose a *single means of securing an air dryer* to an *enclosed purge reservoir*. Thus, Yandell and Zoglman fail to teach or suggest all of the claim limitations as set forth in the independent claim 18.

Furthermore, the combination of Yandell and Zoglman is improper because Yandell is nonanalogous art. Yandell discloses a clothes dryer that utilizes air pressure to compress liquid from wet clothes. Conversely, claim 18 claims an air dryer for drying air. Therefore, Yandell is not in the field of Applicant’s endeavor or reasonably pertinent to the particular problem with which applicant’s invention is concerned. Thus, claims 19-20 are patentable over Yandell in view of Zoglman.

Claims 21-22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Zoglman. Claim 21, as amended, reads, in part: “an *enclosed* reservoir, wherein said air dryer is coupled to *the outside* of said reservoir” Zoglman does not disclose an enclosed reservoir and does not disclose air dryer coupled to the outside of said reservoir. Therefore, Zoglman does not teach or suggest every element of independent claim 21 and the Office Action does not cite a reference which cures the deficient teachings of Zoglman.

CONCLUSION

Based on the foregoing remarks and amendments, Applicants believe that all of the claims in this case are now in condition for allowance and an indication to that effect is respectfully requested. Furthermore, if the Examiner believes that additional discussions or information might advance the prosecution of this case, the Examiner should feel free to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

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